

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/772,502 Confirmation No.: 1346
Applicant : GEE-KUNG CHANG ET AL.
Title : OPTICAL LAYER MULTICASTING USING A SINGLE SUB-CARRIER HEADER AND A MULTICAST SWITCH WITH ACTIVE HEADER INSERTION
Filed : 01/30/2001
TC/A.U. : 2633
Examiner : NEGASH, K. M.
Docket No. : APP 1337-US (UC2002-396-1)
Cust No. : 8156

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450**

TERMINAL DISCLAIMER**1. TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, as owner of a 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any one of the following prior U.S. Patents:

6,111,673
6,160,651

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the foregoing prior patents are commonly owned. This agreement runs with the patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making this disclaimer, the owner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Appl. No.: 09/772,502
Arndt. Dated: 01/06/2004
Off. Act. Dated: 10/06/2004

**2. TERMINAL DISCLAIMER TO OBLIGATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, as owner of a 100 percent interest in the instant application, also hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to grant, of any patent granted on any of the following pending U.S. patent applications:

09/772,387 filed on 01/30/2001
09/772,392 filed on 01/30/2001
09/772,428 filed on 01/30/2001
09/772,430 filed on 01/30/2001
09/772,504 filed on 01/30/2001
09/772,507 filed on 01/30/2001
09/772,508 filed on 01/30/2001
09/774,264 filed on 01/30/2001
09/774,289 filed on 01/30/2001

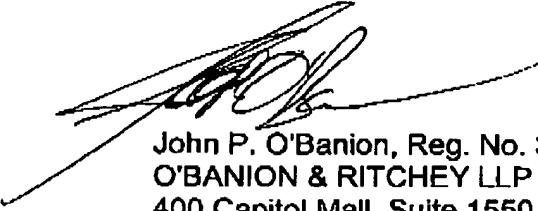
The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and each patent granted on the foregoing pending applications are commonly owned. This agreement runs with the patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making this disclaimer, the owner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of any patent granted on any of the foregoing patent applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

Appl. No.: 09/772,502
Amdt. Dated: 01/06/2004
Off. Act. Dated: 10/06/2004

The undersigned is the attorney of record.

Date: 1/6/2004

Respectfully submitted,



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